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\*\*E-FILED 4/25/07\*\*

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9 IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 07-00013 RMW  
12 )  
Plaintiff, ) **STIPULATION TO CONTINUE**  
13 ) **HEARING AND EXCLUDE TIME;**  
v. ) **[PROPOSED] ORDER**  
14 )  
ANTONIO RODRIGUEZ-REYES, )  
15 )  
Defendant. )  
16 )

17 Defendant and the government, through their respective counsel, hereby stipulate that,  
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for  
19 Monday, April 16, 2007, should be continued to May 21, 2007. The continuance is requested  
20 because defense counsel is unavailable on April 16, 2007, and undersigned defense counsel will  
21 require additional time to complete investigation.

22 The parties further agree that time should be excluded under the Speedy Trial Act from  
23 April 16, 2007, to May 21, 2007, because the defense and the government require time for  
24 investigation and preparation, and the ends of justice outweigh the defendant's and the public's  
25 need for a speedy trial.  
26

1 Dated: 04/11/07

/s/  
LARA S. VINNARD  
Assistant Federal Public Defender

3 Dated: 04/11/07

/s/  
ERIC ROSEN  
Assistant United States Attorney

5  
6 **ORDER**

7 The parties have jointly requested a continuance of the hearing set for April 16, 2007, on  
8 grounds that defense counsel is unavailable on April 16, 2007, as well as the defense requires  
9 additional time to complete investigation.

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
11 presently set for April 16, 2007, be continued to May 21, 2007, at 9:00 a.m.

12 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time  
13 from April 16, 2007, to May 21, 2007, shall be excluded from the period of time within which  
14 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

15 Dated: 4/25/07

/s/ Ronald M. Whyte  
RONALD M. WHYTE  
United States District Judge